

**Congress of the United States**  
**Washington, DC 20515**

July 9, 2015

The Honorable Sally Jewell  
Secretary of the Interior  
Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Dear Secretary Jewell,

On July 7, 2015, the deadline for the Administration to file an appeal to *WildEarth Guardians v. Office of Surface Mining* lapsed. We write to express our disappointment with the decision by the Department of the Interior (DOI) to allow this ruling to go unchallenged. The executive branch has a duty to defend its permitting actions.

The Colowyo Coal Mine is a significant contributor to the economies of Rio Blanco and Moffat counties, responsible for employing over 200 people with a payroll of around \$20 million. The detrimental effects of shutting down this mine go far beyond the jobs and livelihoods lost. The mine forms a critical part of western Colorado's energy supply, providing reliable and affordable electricity in much of the western half of the state.

The decision of the Federal District Court for the District of Colorado gave the OSM 120 days to complete a new National Environmental Policy Act ("NEPA") review or the Court stated that it would vacate the mine plan, effectively shutting down the mine. We are truly appreciative of the early actions taken by agency officials. We remain concerned, however, about the rapidly approaching deadline, and your Department's decision to not appeal the Court's decision has done nothing to allay this concern.

We understand that you committed to Governor Hickenlooper that you would complete the necessary review by the deadline. What assurances can you provide us that the updated NEPA review will be completed by the September 6th deadline? Please respond to this request by providing a timeline for when you anticipate completing and publishing the new analysis including key milestones. Further, if you anticipate that the Court deadline cannot be met, will you guarantee that the DOI will request an extension?

Thank you for your prompt attention to this important issue and we look forward to hearing from you soon.

Respectfully,

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Michael Bennet  
United States Senator

A handwritten signature in blue ink, appearing to read "Cory Gardner", written over a horizontal line.

Cory Gardner  
United States Senator

A handwritten signature in blue ink, appearing to read "Scott Tipton", written over a horizontal line.

Scott Tipton  
Member of Congress